

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION**

WILLIAM JOHNSON, JILL JOHNSON, and  
SECOND AMENDMENT FOUNDATION,  
INC.,

Plaintiffs,

v.

NICK LYON, in his official capacity as  
Director of the Michigan Department of Health  
and Human Services,

Defendant.

No. 17-CV-00124-PLM-MV

HON. PAUL L. MALONEY

MAG. MAARTEN VERMAAT

---

David G. Sigale (Atty ID# 6238103 (IL))  
Attorney for Plaintiffs  
Law Firm of David G. Sigale, P.C.  
430 West Roosevelt Road  
Wheaton, IL 60187  
630.452.4547  
dsigale@sigalelaw.com

---

Cassandra A. Drysdale-Crown (P64108)  
Assistant Attorney General  
Attorneys for Defendant  
Michigan Department of Attorney General  
Health, Education & Family Services Division  
P.O. Box 30758  
Lansing, MI 48909  
(517) 335-7603  
drysdalecrown@michigan.gov  
walkerj32@michigan.gov

---

### **JOINT STATUS REPORT**

As directed by the Court, the parties submit this Joint Status Report.

The parties continue efforts to reach settlement to resolve Plaintiffs' Second Amendment claims against the State Defendant. Current efforts include:

1. The drafting and promulgation of a revised Foster Family Homes and Foster Family Group Homes Rule 400.9415 (Rule 415).
2. Implementation of various training measures.
3. A settlement agreement which would include a resolution of Plaintiffs' claim for attorney's fees or an agreement to place said issue before the Court.

The Amended Rule 415 – as approved by Plaintiffs and State Defendant - is progressing through the promulgation process in accord with the Michigan Administrative Procedures Act, MCL 24.201, *et seq.* Pursuant to MCL 24.241, public hearings were held on the amended Foster Family Homes and Foster Family Group Homes – including amended Rule 415 - on October 12 and 13, 2021. The public did not raise concerns nor comments regarding the proposed Amended Rule 415. After the hearings, Rule 415, as part of the Foster Family Homes and Foster Family Group Homes package, was submitted to the Michigan Legislative Services Bureau (LSB), which in turn, submitted the amended rules for review by the Joint Committee on Administrative Rules (JCAR). JCAR “consists of 5 members of the senate and 5 members of the house of representatives”. MCL 24.235. After receiving the amended rule package, JCAR “has 15 session days in which to consider the rule” and do one of the following: object to the rule, propose that the rule be changed,

decide to introduce bills to enact the subject of the rule into law, waive any remaining session days. MCL 24.245a. MDHHS anticipates the JCAR to issue its decision regarding approval of the Foster Family Home and Foster Family Group Homes Amended Rules package in late April or early May 2022. Once JCAR approves the amended rule package, the Department of Secretary is authorized to issue the Great Seal completing the promulgation process.

The parties suggest a follow-up status report on or before May 31, 2022.

Date: March 11, 2022

/s/ Cassandra A. Drysdale-Crown  
Cassandra A. Drysdale-Crown (P64108)  
Assistant Attorneys General  
Attorney for Defendant  
Health, Education & Family  
Services Division  
P.O. Box 30758  
Lansing, MI 48909  
(517) 335-7603  
drysdalecrown@michigan.gov

Date: March 11, 2022

/s/ David G. Sigale  
David G. Sigale (Atty ID# 6238103 (IL))  
Attorney for Plaintiffs  
Law Firm of David G. Sigale, P.C.  
430 West Roosevelt Road  
Wheaton, IL 60187  
630.452.4547  
dsigale@sigalelaw.com